



February 20, 2002

ENGROSSED HOUSE BILL No. 1161

DIGEST OF HB 1161 (Updated February 18, 2002 4:57 PM - DI 104)

Citations Affected: IC 20-12.

Synopsis: Meningococcal disease immunization. Provides that a student or the student's guardian, before the student enrolls at a residential campus at a public university, must receive information concerning meningococcal disease from the university. States that a student that is not a citizen or resident of the United States must, before matriculating in a residential campus at a public university, provide the university with: (1) medical documentation that the student has been tested for tuberculosis; (2) the date the tuberculosis test was taken; and (3) the results of the tuberculosis test.

Effective: October 1, 2002.

Welch, Budak

(SENATE SPONSORS — MILLER, BREAUX)

January 9, 2002, read first time and referred to Committee on Public Health.
January 23, 2002, reported — Do Pass.
January 28, 2002, read second time, ordered engrossed. Engrossed.
January 31, 2002, read third time, passed. Yeas 92, nays 0.

SENATE ACTION

February 5, 2002, read first time and referred to Committee on Health and Provider Services.
February 19, 2002, amended, reported favorably — Do Pass.

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February 20, 2002

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

ENGROSSED HOUSE BILL No. 1161

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-12-71-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE OCTOBER 1, 2002]: Sec. 2. As used in this
3 chapter, "certificate of immunity" means a form that **meets the**
4 **following requirements:**

- 5 (1) Is acceptable to a postsecondary institution.
- 6 (2) Establishes the immunity of the certificate holder. ~~and~~
- 7 (3) Consists of:
 - 8 (A) a physician's certificate, if available;
 - 9 (B) immunization records forwarded from another school or
10 postsecondary institution;
 - 11 (C) a record maintained by the student or a parent of the
12 student showing the month and year during which each dose
13 of vaccine was administered;
 - 14 (D) a form developed by the department which may be used by
15 postsecondary institutions to meet the requirements of this
16 chapter; or
 - 17 (E) evidence of having met alternative criteria defined by rules

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adopted under IC 4-22-2 by the department.

(4) Includes a line to be signed by the student or the student's parent or guardian that indicates compliance with section 13.5(b) of this chapter.

SECTION 2. IC 20-12-71-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE OCTOBER 1, 2002]: Sec. 11. (a) Except as provided in section 15 of this chapter, a postsecondary institution may not permit a student to matriculate in a residential campus of a postsecondary institution unless the student provides the documentation required by section 12 of this chapter for the following diseases:

- (1) Diphtheria.
- (2) Tetanus.
- (3) Measles.
- (4) Mumps.
- (5) Rubella.

(b) Each postsecondary institution shall notify each student before the student's matriculation of the ~~requirement~~ **following requirements:**

(1) That the student must be immunized and that the immunization is required for matriculation at the postsecondary institution unless the student provides the documentation required by section 12 of this chapter.

(2) That the student or the student's parent or guardian must comply with section 13.5 of this chapter.

SECTION 3. IC 20-12-71-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE OCTOBER 1, 2002]: Sec. 12. (a) Before matriculating in a residential campus of a postsecondary institution, each student shall provide the postsecondary institution with one (1) of the following documents:

- (1) A certificate of immunity.
- (2) Documentation of exemption as described in sections 13, and 14 of this chapter.

(b) **Before matriculating in a residential campus of a postsecondary institution, a student that is not a citizen or resident of the United States shall provide the postsecondary institution with:**

- (1) medical documentation that the student has been tested for tuberculosis;**
- (2) the date on which the tuberculosis test was taken; and**
- (3) the results of the tuberculosis test.**

(c) If a student fails to comply with subsection (a) or subsection (b) by the beginning of the student's second academic term, the

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postsecondary institution shall prohibit the student from matriculating in the campus of the postsecondary institution, where applicable, until the requirements are met.

SECTION 4. IC 20-12-71-13.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE OCTOBER 1, 2002]: **Sec. 13.5. (a) A postsecondary institution in which an individual intends to enroll shall provide detailed information on the risks associated with meningococcal disease and the availability and effectiveness of vaccination to:**

(1) the individual, if the individual is at least eighteen (18) years of age; or

(2) the individual's parent or guardian, if the individual is less than eighteen (18) years of age.

(b) A postsecondary institution described in subsection (a) must receive a certificate of immunity:

(1) that is signed by:

(A) the individual, if the individual is at least eighteen (18) years of age; or

(B) the individual's parent or guardian, if the individual is less than eighteen (18) years of age; and

(2) that states that the information provided under subsection (a) has been reviewed by:

(A) the individual, if the individual is at least eighteen (18) years of age; or

(B) the individual's parent or guardian, if the individual is less than eighteen (18) years of age.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1161, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

BROWN C, Chair

Committee Vote: yeas 11, nays 0.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1161, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Replace the effective date in SECTIONS 2 through 4 with "[EFFECTIVE OCTOBER 1, 2002]".

Page 1, delete lines 1 through 7, begin a new paragraph and insert: "SECTION 1. IC 20-12-71-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE OCTOBER 1, 2002]: Sec. 2. As used in this chapter, "certificate of immunity" means a form that **meets the following requirements:**

- (1) Is acceptable to a postsecondary institution.
- (2) Establishes the immunity of the certificate holder. ~~and~~
- (3) Consists of:
 - (A) a physician's certificate, if available;
 - (B) immunization records forwarded from another school or postsecondary institution;
 - (C) a record maintained by the student or a parent of the student showing the month and year during which each dose of vaccine was administered;
 - (D) a form developed by the department which may be used by postsecondary institutions to meet the requirements of this chapter; or
 - (E) evidence of having met alternative criteria defined by rules adopted under IC 4-22-2 by the department.
- (4) Includes a line to be signed by the student or the student's parent or guardian that indicates compliance with section 13.5(b) of this chapter."**

Page 2, delete line 3.

Page 2, line 5, strike "requirement" and insert "**following requirements:**".

Page 2, line 5, delete "that", begin a new line block indented and insert:

"(1) That".

Page 2, between lines 8 and 9, begin a new line block indented and insert:

"(2) That the student or the student's parent or guardian must comply with section 13.5 of this chapter."

Page 2, line 15, delete "13.5,".

Page 2, line 17, after "(b)" insert "**Before matriculating in a**

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residential campus of a postsecondary institution, a student that is not a citizen or resident of the United States shall provide the postsecondary institution with:

- (1) medical documentation that the student has been tested for tuberculosis;
- (2) the date on which the tuberculosis test was taken; and
- (3) the results of the tuberculosis test.

(c)".

Page 2, line 17, after "(a)" insert "**or subsection (b)**".

Page 2, line 24, delete "An individual is exempt".

Page 2, delete lines 25 through 26.

Page 2, line 27, delete "(1) The" and insert "**(a) A**".

Page 2, line 27, after "which" delete "the" and insert "**an**".

Page 2, run in lines 24 and 27.

Page 2, line 28, delete "provides" and insert "**shall provide**".

Page 2, line 31, delete "(A)", begin a new line single block indented and insert:

"(1)".

Page 2, line 33, delete "(B)", begin a new line single block indented and insert:

"(2)".

Page 2, line 35, delete "(2) The", begin a new paragraph and insert:

"(b) A".

Page 2, line 35, delete "receives documentation" and insert "**described in subsection (a) must receive a certificate of immunity**".

Page 2, line 36, delete "(A)", begin a new line single block indented and insert:

"(1)".

Page 2, line 37, delete "(i)", begin a new line double block indented and insert:

"(A)".

Page 2, line 39, delete "(ii)", begin a new line double block indented and insert:

"(B)".

Page 2, line 40, delete "(18)".

Page 2, line 40, after "eighteen" and insert "**(18)**".

Page 2, line 41, delete "(B)", begin a new line single block indented and insert:

"(2)".

Page 2, line 42, delete "subdivision (1)" and insert "**subsection (a)**".

Page 3, line 1, delete "(i)", begin a new line double block indented and insert:

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"(A)".

Page 3, line 3, delete "(ii)", begin a new line double block indented and insert:

"(B)".

Page 3, line 4, delete "(18)".

Page 3, line 4, after "eighteen" insert **"(18)"**.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1161as printed January 24, 2002.)

MILLER, Chairperson

Committee Vote: Yeas 7, Nays 0.

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